



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

August 1, 2019

MUHAN ZHANG, TREASURER
FRIENDS OF ANDREW YANG
P.O. BOX 214 MIDTOWN STATION
NEW YORK, NY 10018

Response Due Date
09/05/2019

IDENTIFICATION NUMBER: C00659938

REFERENCE: OCTOBER QUARTERLY REPORT (07/01/2018 - 09/30/2018)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule A-P of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or a qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,800 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR §§ 110.1(b), (e) and (k), and 102.13(c))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

Please be reminded that all refunds, redesignations and reattributions must be made within 60 days of receipt of the contribution. To date, one or more of the apparent excessive contributions have not been refunded, redesignated, or reattributed.

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For reattributions, the funds can be retained if, within 60 days of receipt, the excessive amount was properly reattributed to another person. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor who signed the check an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount was properly designated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) the committee redesignates by presumption the excessive portion of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) A contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt, the excessive amount must be refunded. (11 CFR § 103.3(b)(1))

Please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 28(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B-P of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A-P of the report covering the period in which the authorization for the redesignation

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and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A-P (see attached) discloses a contribution(s) from an individual(s) who has a mailing address outside of the United States of America. Please be advised that 52 U.S.C. § 30121(a) (formerly 2 U.S.C. § 441e(a)) and 11 CFR § 110.20 prohibit foreign nationals from making contributions in connection with any election for political office or in connection with any primary election, convention, or caucus held to select candidates for any political office.

If the apparently prohibited contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If your committee follows the safe harbor guidelines outlined under 11 CFR § 110.20(a)(7) for all contributions received from a foreign address to ensure that the sources of these contributions are not foreign nationals, please provide a detailed description of your procedures. These procedures must be used in all cases where a contributor or donor uses a foreign passport or passport number for identification purposes, provides a foreign address, makes a contribution or donation by means of a check or other written instrument drawn on a foreign bank or by wire transfer from a foreign bank, or resides abroad. A committee is deemed to have conducted a reasonable inquiry into the contributor or donor's nationality if you seek and obtain copies of current and valid U.S. passport papers for U.S. citizens. No person may rely on this safe harbor if he or she has actual knowledge that the source of the funds solicited, accepted, or received is a foreign national.

If you have received a contribution from a foreign national, you must refund the impermissible contribution to the donor in accordance with 11 CFR § 103.3(b). Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the refund. In addition, any refunds should be disclosed on Schedule B supporting Line 28(a) of the report during which the transaction was made. Although the Commission may take further legal action concerning the acceptance of a prohibited contribution(s), prompt action on your part to refund or provide clarifying information concerning these contributions will be taken into consideration.

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- Your report disclosed a category of financial activity that appears to be disclosed on the wrong line of the Detailed Summary Page. Refunds of contributions to Individuals/Persons other than political committees should be properly disclosed on a separate Schedule A-P, supporting Line 28(a) of the Detailed Summary Page. Please refer to the Form 3-P instructions for each line when determining the proper categorization(s) for your next filing. (11 CFR § 104.3(a) and (b))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For more information about the report review process or specific filing information for your committee type, please visit <http://transition.fec.gov/rad/>. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1167.

Sincerely,



Denise Stilla
Senior Campaign Finance Analyst
Reports Analysis Division

**Apparent Excessive, Prohibited, and Impermissible Contributions
Friends of Andrew Yang (C00659938)**

Apparent Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Comer, Patrick	11/30/17	\$2,700.00	P2020
Comer, Patrick	4/26/18	\$500.00	P2020
Day, David	11/26/17	\$2,700.00	P2020
Day, David	9/1/18	\$1,000.00	P2020
Laporte, Leo F.	3/13/18	\$1,000.00	P2020
Laporte, Leo F.	4/1/18	\$1,000.00	P2020
Laporte, Leo F.	4/9/18	\$8.18	P2020
Laporte, Leo F.	5/17/18	\$250.00	P2020
Laporte, Leo F.	5/25/18	\$250.00	P2020
Laporte, Leo F.	5/25/18	\$250.00	P2020
Laporte, Leo F.	7/1/18	\$100.00	P2020
MacDonald, Darren	12/1/17	\$1,000.00	P2020
MacDonald, Darren	8/12/18	\$2,000.00	P2020

Contributions from Individuals with Foreign Addresses

Contributor Name	Date	Amount	Election
Aeron-Thomas, Mark	7/2/18	\$20.00	P2020
Ahrendt da Lima, Franciscus	7/1/18	\$20.00	P2020
Alkov, David	7/15/18	\$20.00	P2020
Bakht, Akram	7/1/18	\$10.00	P2020
Barrett, Samuel	7/5/18	\$1.00	P2020
Bayer, Devin	7/29/18	\$20.00	P2020
Beasley, Ben	7/12/18	\$1.00	P2020
Botin, India	7/1/18	\$10.00	P2020
Calloway, Ruquay	7/13/18	\$20.00	P2020
Campbell, Wesley	7/5/18	\$20.00	P2020
Carlsson, Niklas	7/1/18	\$1.00	P2020
Chan, Lilly	9/30/18	\$500.00	P2020
Cremer, Luc	7/1/18	\$20.00	P2020
Dutton, James	8/5/18	\$50.00	P2020
Eglinski, Don	8/26/18	\$1.00	P2020
Fourlas, Thanos	7/12/18	\$1.00	P2020
Furneaux, Brendan	7/29/18	\$5.00	P2020
Furneaux, Brendan	9/30/18	\$5.00	P2020
Furneaux, Brendan	8/31/18	\$5.00	P2020

**Apparent Excessive, Prohibited, and Impermissible Contributions
Friends of Andrew Yang (C00659938)**

Golding, Callum	7/1/18	\$20.00	P2020
Haas, Christian	9/30/18	\$10.00	P2020
Hilbricht, Malte	7/1/18	\$1.00	P2020
Jago, Curtis	7/29/18	\$1.00	P2020
Johnson, Mark	7/1/18	\$5.00	P2020
Knight, Curtis	9/30/18	\$1.00	P2020
Lovell, Pamela	7/1/18	\$20.00	P2020
McIvor, Des	9/16/18	\$1.00	P2020
Mijas, Renata	9/9/18	\$20.00	P2020
Onyango, Pascal	7/29/18	\$1.00	P2020
Poole, Marshall	7/1/18	\$1.00	P2020
Potgieter, Marianne	9/23/18	\$20.00	P2020
Ricardo, Colin	7/29/18	\$1.00	P2020
Rice, Christopher	9/9/18	\$1.00	P2020
Richardson, Josh	8/26/18	\$1.00	P2020
Roberts, Hedda	7/1/18	\$1.00	P2020
Roossien, Jurrien	7/29/18	\$10.00	P2020
Rush, Joel	7/29/18	\$1.00	P2020
Saxey, Roderick	7/22/18	\$1.00	P2020
Schneider, Nathan	8/26/18	\$50.00	P2020
Scott, Kent	7/1/18	\$10.00	P2020
Scott, Kent	7/1/18	\$20.00	P2020
Scott, Kent	9/30/18	\$20.00	P2020
Semb, Carl Christian Sole	7/11/18	\$1.00	P2020
So, Jayne	9/16/18	\$1,000.00	P2020
Tato, Paul	7/1/18	\$1.00	P2020
Tsang, Terrence	9/30/18	\$2,700.00	P2020
Van den Bergh, Ben	8/12/18	\$1.00	P2020
Van den Bergh, Ben	9/30/18	\$10.00	P2020
Wilcox, Asia	9/30/18	\$15.00	P2020
Yang, Jialin	9/9/18	\$1.00	P2020
Yang, Jialin	9/16/18	\$1.00	P2020
Yang, Jialin	9/23/18	\$5.00	P2020
Yang, Jialin	9/23/18	\$2.00	P2020
Yates, Chris	7/1/18	\$20.00	P2020